

JOHN S. PANGELINAN
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Pro se

FILED
Clerk
District Court

MAY 27 2008

For The Northern Mariana Islands
By _____
(Deputy Clerk)

IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

JOHN S. PANGELINAN

Plaintiff,

v.

DAVID A. WISEMAN, et al.

Defendants.

Civil Action No. 08-0004

NOTICE OF APPEAL

Notice is hereby given that JOHN S. PANGELINAN, plaintiff in the above named case, hereby appeals to the United States Court of Appeals for the Ninth Circuit at San Francisco, California, from the (A) Order Denying "Objections" to Designation and Assignment of Judge, filed on May 07, 2008; (B) Order Denying "Objections" to

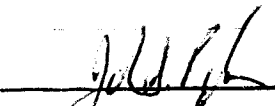
to Late Filings, filed on May 07, 2008; (c) Order (1) Granting Motion to Dismiss Without Leave to Amend Filed by Federal Defendants, (2) Granting Motion to Dismiss Without Leave to Amend Filed by United States, and (3) Granting Motions to Dismiss, for Sanctions, and for Pre-filing Injunction, filed by non-Federal Defendants, filed on May 08, 2008; (d) Order to Show Cause Why JOHN S. PANGELINAN Should Not Be Declared a Vexatious Litigant and Be Subjected to a Pre-Filing Order as to Any and All Future Filings Involved With, or Derived From in Any Way, Civil Action No. 97-0073, filed on May 08, 2008; and, (E) Order Denying Plaintiff's "Consolidated Motion for Reconsideration and Withdrawal, Pursuant to Rules 59 or 60(b), All Orders of This Court Issued On May 07 & 08, 2008," filed on May 21, 2008, and executed on May 20, 2008.

Plaintiff Pangelinan "was determined to be financially unable to obtain adequate defense in a case" in U.S.A. v. Pangelinan, Criminal Action No. 06-00012, U.S. District Court for the Northern Mariana Islands, and in U.S.A. v. Pangelinan, Case No. 07-17395 & Case No. 07-10032, U.S. Court of Appeals for the Ninth Circuit, pursuant to FRAP 24(a)(3)(A). See, Order of January 28, 2008, Case No. 07-17395, 9th Circuit Courts. Thus, Pangelinan is not required to pay Appeal, filing and docketing, fees. See, Circuit Rule 3-1.

Alternatively, Pangelinan is presently incarcerated who is sentenced to months (ten) of imprisonment under U.S.A. v. Pangelinan, Criminal Action No. 06-00012, District Court for the Nor-

then Mariana Islands, and, the underlying appealed case is a civil rights civil action, or a strictly Bivens action, for constitutional torts committed against Pangelinan by defendants. Pangelinan is entitled to proceed in forma pauperis or is entitled to all rights under the Prisoner's Litigation Reform Act and, ¹proceed thereunder. Pangelinan is entitled to waiver of the appeal, filing and docketing, fees.

Dated this 27th day of May, 2008.


John S. Pangelinan
Plaintiff - Appellant
Pro se